

THE CHEADLE AND GATLEY
URBAN DISTRICT
(Mill Lane, Cheadle)

TREE PRESERVATION ORDER, (No. 4) 1962

THE URBAN DISTRICT COUNCIL OF CHEADLE & GATLEY in pursuance of the powers conferred in that behalf by Section 28 of the Town and Country Planning Act, 1947, and delegated to them by the County Council of the County Palatine of Chester (in this Order called "the Authority") and subject to the provisions of Section 13 of the Forestry Act, 1951, hereby make the following Order (which may be cited by the name appearing in the title hereof):—

1. In this Order—

"the Act" means the Town and Country Planning Act, 1947;

"owner" means the owner in fee simple, either in possession or who has granted a lease or tenancy of which the unexpired portion is less than three years; a lessee (including a sub-lessee) or tenant in possession the unexpired portion of whose lease or tenancy is three years or more; and a mortgagee in possession; and

"the Minister" means the Minister of Housing and Local Government.

2. Subject to the provisions of this Order and to the exemptions specified in the Second Schedule hereto, no person shall, except with the consent of the authority and in accordance with the conditions, if any, imposed on such consent, cut down, top, lop, or wilfully destroy or cause or permit the cutting down, topping, lopping or wilful destruction of any tree specified in the First Schedule hereto or comprised in a group of trees or in a woodland therein specified, the position of which trees, groups of trees and woodlands is defined in the manner indicated in the said First Schedule on the map annexed hereto which map shall, for the purpose of such definition as aforesaid, prevail where any ambiguity arises between it and the specification in the said First Schedule.

3. An application for consent made under Article 2 of this Order shall be in writing stating the reasons for making the application, and shall by reference if necessary to a plan specify the trees to which the application relates, and the operations for the carrying out of which consent is required.

4.—(1) Where an application for consent is made under this Order, the authority may grant such consent either unconditionally, or subject to such conditions (including conditions requiring the replacement of any tree by one or more trees on the site or in the immediate vicinity thereof), as the authority may think fit, or may refuse consent.

Provided that where the application relates to any woodland specified in the First Schedule to this Order the authority shall grant consent so far as accords with the principles of good forestry, except where, in the opinion of the authority, it is necessary in the interests of amenity to maintain the special character of the woodland or the woodland character of the area, and shall not impose conditions on such consent requiring replacement or replanting.

NOTE:—If it is desired to *fell* any of the trees included in this Order whether included as trees, groups of trees or woodlands and the trees are trees for the felling of which a licence is required under the Forestry Act, 1951, application must be made *not* to the authority for consent under this Order but to the Forestry Commissioners for a licence under that Act. (*See* Forestry Act, 1951, Section 13(1)).

(2) The authority shall keep a register of all applications for consent under this Order containing information as to the nature of the application, the decision of the authority thereon, any compensation awarded in consequence of such decision and any directions as to replanting of woodlands; and every such register shall be available for inspection by the public at all reasonable hours.

5. Where the authority refuse consent under this Order or grant such consent subject to conditions they may when refusing or granting consent certify in respect of any trees for which they are so refusing or granting consent that they are satisfied—

- (a) that the refusal or condition is in the interests of good forestry; or
- (b) in the case of trees other than trees comprised in woodlands, that the trees have an outstanding or special amenity value.

6.—(1) Where consent is granted under this Order to fell any part of a woodland then unless—

- (a) such consent is granted for the purpose of enabling development to be carried out in accordance with a permission to develop land under Part III of the Act, or

(b) the authority with the approval of the Minister dispense with replanting, the authority shall give to the owner of the land on which that part of the woodland is situated a direction in writing specifying the manner in which and the time within which he shall replant such land and where such a direction is given and the part is

Separate Article 7:—

7. On imposing any condition requiring the replacement of any tree under Article 4 of this Order or on giving a direction under Article 6 of this Order with respect to the replanting of woodlands, the authority shall, if such condition or direction relates to land in respect of which byelaws made by a river board or a drainage board restrict or regulate the planting of trees, notify the applicant or the owner of the land, as the case may be, of the existence of such byelaws and that any such condition or direction has effect subject to the requirements of the river board or drainage board under those byelaws and the condition or direction shall have effect accordingly.

8. The provisions set out in the Third Schedule to this Order, being provisions of Part III of the Act adapted and modified for the purposes of this Order, shall apply in relation thereto.

9. Subject to the provisions of this Order, any person who has suffered damage or has incurred expenditure in consequence of any refusal of consent under this Order or of any grant of any such consent subject to conditions, shall, if he makes a claim on the authority within the time and in the manner prescribed by this Order, be entitled to recover from the authority compensation in respect of such damage or expenditure.

Provided that no compensation shall be payable in respect of damage suffered or expenditure incurred by reason of such refusal or grant of consent in the case of any trees the subject of a certificate in accordance with Article 5 of this Order.

10. In assessing compensation payable under the last preceding Article or under Section 22 of the Act as applied by this Order account shall be taken of:

- (a) any compensation or contribution which has been paid in respect of the same trees under the terms of this or any other Tree Preservation Order under Section 28 of the Act or under the terms of any Interim Preservation Order made under Section 8 of the Town and Country Planning (Interim Development) Act, 1943, or any compensation which has been paid or which could have been claimed under any provision relating to the preservation of trees or protection of woodlands contained in an operative scheme under the Town and Country Planning Act, 1932, and
- (b) any injurious affection to any land of the owner which would result from the felling of the trees the subject of the claim.

11. (1) A claim for compensation under this Order shall be in writing and shall be made by serving it on the authority such service to be effected by delivering the claim at the offices of the authority addressed to the Clerk thereof or by sending it by prepaid post so addressed

(2) The time within which any such claim shall be made as aforesaid shall be a period of twelve months from the date of the decision of the authority, or of the Minister, as the case may be, or where an appeal has been made to the Minister against the decision of the authority, from the date of the decision of the Minister on the appeal.

12. ~~11.~~ Any question of disputed compensation shall be determined in accordance with the provisions of Section 110 of the Act.

13. ~~12.~~ Any person contravening the provisions of this Order is guilty of an offence under subsection (6) of Section 28 of the Act and liable on summary conviction to a fine not exceeding fifty pounds; and if in the case of a continuing offence the contravention is continued after conviction he is guilty of a further offence thereunder and liable on summary conviction to an additional fine not exceeding forty shillings for every day on which the contravention is so continued.

FIRST SCHEDULE

TREES SPECIFIED INDIVIDUALLY (encircled in black on the map)

No. on Map	Description	Situation
/ T1	Ash	In South West corner of F1058, 40ft. from West boundary and 15ft. from the South boundary.
/ T2	Sycamore	On South boundary of F1058 and North boundary of F1057, 51ft. from West boundary of F1058.
/ T3	Sycamore	On South boundary of F1058 and North boundary of F1057, 90ft. from West boundary of F1058.
/ T4	Sycamore	On South boundary of F1058 and North boundary of F1057, 108ft. from West boundary of F1058.
/ T5	Oak	On East boundary of F1058 and West of F1059, 18ft. from North boundary railway fence.
T6	Oak	On East boundary of F1058 and West of F1059, 46ft. from North boundary railway fence.
/ T7	Oak	On East boundary of F1058 and West of F1059, 84ft. from North boundary railway fence.
/ T8	Ash	On East boundary of F1058 and West of F1059, 140ft. from North boundary railway fence.
/ T9	Sycamore	On East boundary of F1058 and West of F1059, 189ft. from North boundary railway fence.
/ T10	Ash	On East boundary of F1058 and West of F1059, 222ft. from North boundary railway fence.
T11	Oak	On East boundary of F1058 and West of F1059, 258ft. from North boundary railway fence.
T12	Ash	On East boundary of F1058 and West of F1059, 340ft. from North boundary railway fence.
/ T13	Ash	On East boundary of F1058 and West of F1059, 493ft. from North boundary railway fence.
/ T14	Oak	On East boundary of F1058 and West of F1059, 45ft. from South boundary of F1059.
✓ T15	Oak	On South boundary of F1059 and North of 1063. The more southerly of the trees running North-South down centre of F1059.
/ T16	Oak	In line of trees running North-South down centre of F1059. 183ft. from South boundary of F1059.
/ T17	Ash	In line of trees running North-South down centre of F1059. 306ft. from South boundary of F1059.
/ T18	Oak	In line of trees running North-South down centre of F1059. 366ft. from South boundary of F1059.
/ T19	Oak	In line of trees running North-South down centre of F1059. 477ft. from South boundary of F1059.
/ T20	Sycamore	Boundary tree between F1060 and 1062, 280ft. from South boundary and the more southerly.
/ T21	Ash	Boundary tree between F1060 and 1062, 360ft. from South boundary and the more southerly.
/ T22	Oak	Boundary tree between F1060 and 1062, 160ft. from Micker Brook and the more northerly.
✓ T23	Elm	North East corner of F1060 and West of Micker Brook, just South of bridge.
✓ T24	Willow	North boundary of F1062 and South of Micker Brook, the more westerly of trees on North boundary.

No. on Map	Description	Situation
✓ T25	Sycamore	North boundary of F1062 and South of Micker Brook, the more easterly of trees on North boundary.
/ T26	Sycamore	East boundary of F1062 and West of Micker Brook, 20ft. North of G3.
✓ T27	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T28	Ash	East boundary of F1062 and West of Micker Brook, 25ft. from T27
✓ T29	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T30	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T31	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T32	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T33	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T34	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T35	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T36	Beech	East boundary of F1062 and West of Micker Brook and on acute bend of Micker Brook.
/ T37	Sycamore	East boundary of F1062 and West of Micker Brook.
/ T38	Elm	East boundary of F1062 and West of Micker Brook, 60ft. North from South.-East hedge of F1062.
✓ T39	Ash	Hedgerow tree in hedge running across South-East corner of F1062, 265ft. from North-East corner of 1063
/ T40	Ash	Hedgerow tree in hedge running across South-East corner of F1062, 233ft. from North-East corner of 1063.
/ T41	Sycamore	Hedgerow tree in hedge running across South-East corner of F1062, 202ft. from North-East corner of 1063.
/ T42	Sycamore	Hedgerow tree in hedge running across South-East corner of F1062, 142ft. from North East corner of 1063.
✓ T43	Sycamore	Hedgerow tree in hedge running across South East corner of F1062, 112ft. from North-East corner of 1063.
/ T44	Sycamore	Hedgerow tree in hedge running across South-East corner of F1062, 51ft. from North-East corner of 1063.
/ T45	Sycamore	Hedgerow tree in hedge running across South-East corner of F1062, 20ft. from North-East corner of 1063.
/ T46	Sycamore	<i>Within F. 1006</i> On South West boundary of F1062 and East of 1063, 12ft. south from North-East corner of 1063.
/ T47	Sycamore	<i>Within F. 1006</i> On South West boundary of F1062 and East of 1063, 42ft. south from North-East corner of 1063.
/ T48	Sycamore	<i>Within F. 1006</i> On South West boundary of F1062 and East of 1063, 78ft. South from North-East corner of 1063.
/ T49	Thorn	<i>Within F. 1006</i> On South West boundary of F1062 and East of 1063, 93ft. South from North-East corner of 1063.
/ T50	Ash	In North-West corner of F1065 and West side of footpath 15ft. from North boundary.
/ T51	Oak	On East boundary of F1065 and West side of footpath 242ft. from North boundary.
/ T52	Oak	On East boundary of F1065 and West side of footpath 279ft. from North boundary.
/ T53	Oak	On East boundary of F1065 and West side of footpath 308ft. from North boundary.
/ T54	Ash	On East boundary of F1065 and West side of footpath 334ft. from North boundary.
/ T55	Oak	On East boundary of F1065 and West side of footpath 353ft. from North boundary.
✓ T56	Sycamore	On East boundary of F1065 and West side of footpath 363ft. from North boundary.
/ T57	Oak	On East boundary of F1065 and West side of footpath 486ft. from North boundary.
/ T58	Thorn	On South boundary of F1065 and South side of footpath 18ft. from East Boundary.
✓ T59	Thorn	On South boundary of F1065 and South side of footpath 70ft. from East boundary.
/ T60	Sycamore	In line of trees running East-West along North boundary of F1070, 114ft. from West boundary.
/ T61	Sycamore	In line of trees running East-West along North boundary of F1070, 92ft. from West boundary.
/ T62	Sycamore	In line of trees running East-West along North boundary of F1070, 73ft. from West boundary.
/ T63	Sycamore	In line of trees running East-West along North boundary of F1070, 52ft. from West boundary.
/ T64	Sycamore	In line of trees running East-West along North boundary of F1070, 30ft. from West boundary.
/ T65	Sycamore	In line of trees running East-West along North boundary of F1070, 8ft. from West boundary.

No. on Map	Description	Situation
/ T66	Sycamore	In line of trees running East-West along North boundary of F1056, 17ft. from East boundary.
/ T67	Horse Chestnut	In line of trees running East-West along North boundary of F1056, 37ft. from East boundary.
/ T68	Sycamore	In line of trees running East-West along North boundary of F1056, 58ft. from East boundary.
/ T69	Thorn	In line of trees running East-West along North boundary of F1056, 78ft. from East boundary.
✓ T70	Sycamore	In line of trees running East-West along North boundary of F1056, 101ft. from East boundary.
/ T71	Sycamore	In line of trees running East-West along North boundary of F1056, 126ft. from East boundary.
/ T72	Lime	In line of trees running East-West along North boundary of F1056, 151ft. from East boundary.
/ T73	Lime	On West boundary of F1056 and 19ft. from North boundary.
/ T74	Oak	In South East corner of F1056, 15ft. in from East boundary, and 4ft. from South boundary.
✓ T75	Sycamore	In line of trees running North-South along East boundary of F1071, 21ft. from North boundary.
T76	Sycamore	In line of trees running North-South along East boundary of F1071, 45ft. from North boundary.
/ T77	Sycamore	In line of trees running North-South along East boundary of F1071, 68ft. from North boundary.
/ T78	Sycamore	In line of trees running North-South along East boundary of F1071, 90ft. from North boundary.
/ T79	Sycamore	In line of trees running North-South along East boundary of F1071, 114ft. from North boundary.
/ T80	Sycamore	In line of trees running North-South along East boundary of F1071, 136ft. from North boundary.
/ T81	Sycamore	In line of trees running North-South along East boundary of F1071, 157ft. from North boundary.
/ T82	Sycamore	In line of trees running North-South along East boundary of F1071, 177ft. from North boundary.
/ T83	Sycamore	In line of trees running North-South along East boundary of F1071, 202 ft. from North boundary
/ T84	Oak	On the East boundary of F1071 and by the North-West corner of the tennis courts.
/ T85	Lime	On West boundary of F1071 and 42ft. from the North boundary.
/ T86	Horse Chestnut	On West boundary of F1071 and behind outbuildings 14ft from fence.
/ T87	Horse Chestnut	On West boundary of F1071 and behind outbuildings 39ft. from fence.
T88	Horse Chestnut	On West boundary of F1071 and behind outbuildings 76ft from fence.
/ T89	Horse Chestnut	On West boundary of F1071 and behind outbuildings 104ft. from fence.
T90	Thorn	In hedgerow West of outbuildings and 35ft. from outbuildings.
/ T91	Oak	Between Nurses Home and Kingsway, 15ft. from Kingsway fence, and South of service road.
/ T92	Oak	Between Nurses Home and Kingsway, the more Northerly of the trees south of the service road.
/ T93	Oak	Between F1057 and Kingsway, the more Northerly of the trees north of the service road.
/ T94	Ash	On the North side of 1057 and 40ft. in from North boundary hedge.
/ T95	Beech	On North boundary of F996 and South side of Micker Brook, 18yds. along footpath from G11.
/ T96	Beech	On North boundary of F996 and South side of Micker Brook, 30 yds. along footpath from G11.
/ T97	Beech	On North boundary of F996 and South side of Micker Brook, 42 yds. along footpath from G11.
/ T98	Beech	On North boundary of F996 and South side of Micker Brook, 51 yds. along footpath from G11.
/ T99	Beech	On North boundary of F996 and South side of Micker Brook, 63 yds. along footpath from G11.
✓ T100	Oak	In line of trees running North-South from F997 to Micker Brook, 10ft. from North boundary of F997.
/ T101	Oak	In line of trees running North-South from F997 to Micker Brook, 54ft. from North boundary of F997.
/ T102	Oak	In line of trees running North-South from F997 to Micker Brook 83ft. from North boundary of F997.

No. on Map	Description	Situation
/ T103	Sycamore	In the North East corner of F996 and on the South side of the weir.
/ T104	Red Horse Chestnut	In the North-East corner of F996 and 15ft. South-East from T103.
/ T105	Sweet Chestnut	In the North-East corner of F996 and 35ft. South-East from T103 and 18ft. in from Micker Brook.
/ T106	Sycamore	In the North East corner of F996 and on South side of Micker Brook, 35ft. from the weir.
/ T107	Red Horse Chestnut	In the North-East Corner of F996 and on the bend of the Micker Brook.
/ T108	Sycamore	On the East boundary of F996 and West of Micker Brook, South side of bend.
/ T109	Sycamore	On the East boundary of F996 and West of Micker Brook, 80ft. South of T108.
/ T110	Sycamore	On the East boundary of F996 and West of Micker Brook opposite the East boundary of F997.
/ T111	Silver Birch	On the East boundary of F996 and West of Micker Brook, 20ft. South of T110.
/ T112	Sycamore	On the East boundary of F997 and 61ft. from North-East corner of F997.
/ T113	Ash	The more Easterly of trees on the South boundary of F997.
/ T114	Sycamore	The more Westerly of the trees on the South boundary of F997.
/ T115	Willow	In the North-East corner of F994a and West of the Micker Brook.
/ T116	Sycamore	On the South boundary of F1005 and on the North side of the weir.
/ T117	Beech	In the North-West corner of F1005.
/ T118	Beech	On West boundary of F1000 and 21ft. from North gatepost.
/ T119	Beech	On West boundary of F1000 and 62ft. from the North gatepost.
/ T120	Sycamore	On West boundary of F1000 and 156ft. from the North gatepost.
/ T121	Sycamore	In the North-East corner of F1000 and South of F1001, the more Westerly of the trees.
/ T122	Cherry	In the North-East corner of F1000 and South of F1001, the more Southerly of the trees.
/ T123	Ash	In the North-East corner of F1000 and South of F1001, the more Easterly of the trees.
/ T124	False Acacia	South of F1007 and within the grounds of Hartsdale House.
/ T125	Lime	On West boundary of F1007 and East of mill stream, South of the sewer pipe and 11ft. from fence.
/ T126	Alder	On West boundary of F1007 and East of mill stream, South of the sewer pipe and 32ft. from fence.
/ T127	Lime	On West boundary of F1007 and East of mill stream, South of the sewer pipe and 43ft. from fence.
/ T128	Lime	On West boundary of F1007 and East of mill stream, North of the sewer pipe.
/ T129	Sycamore	On West boundary of F1007 and East of mill stream, North of the sewer pipe.
/ T130	Sycamore	On West boundary of F1007 and East of mill stream, near the junction of Micker Brook and mill stream.
/ T131	Oak	Boundary tree between F's 1007 and 975a, 25ft. from East boundary.
/ T132	Sycamore	Easterly boundary of 1006 adjoining mill stream.
/ T133	Sycamore	Easterly boundary of 1006 adjoining mill stream.
/ T134	Sycamore	Easterly boundary of 1006 adjoining mill stream.
/ T135	Sycamore	Easterly boundary of 1006 adjoining mill stream.
/ T136	Ash	North of 1006 and in the yard of Cheadle Bleach Works.
/ T137	Willow	North-East ^{Peak} of 1006 and approx. 20ft. South from junction of Micker Brook and mill stream.
/ T138	Sycamore	South-West boundary of F975a and the more southerly of the trees on the West boundary.
/ T139	Sycamore	On the West boundary of F975a and the East side of the acute bend in Micker Brook.
/ T140	Sycamore	On the West boundary of F975a and just North of the acute bend 42ft. from T139.
/ T141	Sycamore	On the West boundary of F975a and 31ft. from T140.
/ T142	Sycamore	On the West boundary of F975a and 29ft. from T141.
/ T143	Sycamore	On the West boundary of F975a and 30ft. from T142.

No. on Map	Description	Situation
/T144	Sycamore	On the boundary between F975a and 1061 (Micker Brook) just South of the bend.
/T145	Sycamore	On the West boundary of F975a and 30ft. North of G28.
✓T146	Elm	In the North-West corner of F975a and North of the Micker Brook, the more easterly.
/T147	Willow	In the North-West corner of F975a and North of the Micker Brook.
✓T148	Elm	In the North-West corner of F975a and North of Micker Brook.
/T149	Ash	In the North-West corner of F975a and North of the Micker Brook
/T150	Sycamore	In the North-West corner of F975a and North of the Micker Brook 30ft. from the bridge.
/T151	Willow	On the North boundary of F1012 and South of the stream, the more Easterly. <i>7 yards from the Micker Brook.</i>
/T152	Willow	On the North boundary of F1012 and South of the stream and 25ft. from T151.
✓T153	Alder	On the North boundary of F1012 and South of the stream and 60ft. from T151.
✓T154	Sycamore	On the North-East boundary of F1012 and on the North side of stream.
✓T155	Sycamore	On the South boundary of F1012 and 45ft. from the gatepost.
/T156	Sycamore	In the South-East corner of F1012 and 25ft. from the footpath.
✓T157	Willow	In the North-East corner of F975a and North of the stream.
/T158	Thorn	North boundary of F974 and 240ft. from the footpath.
/T159	Thorn	North boundary of F974 and 275ft. from the footpath.
✓T160	Thorn	North boundary of F974 and 400ft. from the footpath.
✓T161	Thorn	North boundary of F974 and 465ft. from the footpath.
/T162	Thorn	North-East boundary of F974 and 38ft. from Manchester Road gatepost.
✓T163	Thorn	North-East boundary ^{of F974} and 110ft. from Manchester Road gatepost.
✓T164	Ash	North of F973 and on North side of stream, opposite a point approximately 40ft. West of T160.
/T165	Ash	North of F973 and on North side of stream, opposite a point approx. 95ft. West of T160.
✓T166	Willow	East ^{Point} of F974 and 68ft. in from the East boundary of F974.
/T167	Oak	North ^{Point} of 975 and 152ft. from footpath, the more Westerly of 2 trees.
/T168	Oak	North ^{Point} of 975 and 214ft. from footpath, the more Easterly of 2 trees.
✓T169	Beech	North-East ^{Point} of 975 and approx. 100ft. South-West of G31.
✓T170	Alder	On North-East boundary of F975 and on South side of stream, between G31 and G32.
/T171	Sycamore	On North-East boundary of F975 and on South side of stream, 30ft. East from ^{from} G32.36.
/T172	Sycamore	In line of trees running East-West across centre of 975 and the more westerly.
/T173	Ash	In line of trees running East-West across centre of 975 and 36ft. from T172.
/T174	Ash	In line of trees running East-West across centre of 975 and 81ft. from T172.
/T175	Ash	In line of trees running East-West across centre of 975 and 131ft. from T172.
✓T176	Ash	In line of trees running East-West across centre of 975 and 143ft. from T172.
T177	Ash	In line of trees running East-West across centre of 975 and 248ft. from T172
T178	Ash	In line of trees running East-West across centre of 975 and 281ft. from T172.
/T179	Horse Chestnut	North-East ^{Point} of F975 and 138ft. North of trees running East-West.
/T180	Sycamore	Centre of F975 and approximately 130ft. North-West of T172.
✓T181	Sycamore	North-East corner of F977, 90ft. from Manchester Road and 20ft. in from Mill Lane.
/T182	Ash	South-East boundary of F977 and situated on the bank 26yds. from row of Lombardy Poplars.

TREES SPECIFIED BY REFERENCE TO AN AREA
(Within a dotted black line on the Map)

No. on Map	Description	Situation
<i>The several trees consisting</i> L/A1	Mainly ^{of} Sycamore, Austrian Pine, Beech, Ash	Extending North from Mill Lane along the West boundary of F975 and the East boundary of F1008.
<i>The several trees consisting</i> L/A2	Mainly ^{of} Sycamore	Extending between the west boundary of 1006 and the South-East boundary of 1062 extending along both sides of Micker Brook to the junction of the Micker Brook with the mill stream.
✓ A3	The several trees of whatever species.	All the trees within the boundaries of 1063—Barnes Convalescent Home—and the North boundary of 1057.
<i>The several trees consisting</i> L/A4	Mainly ^{of} Lime, Sycamore, Beech, Ash	Extending from the South-West corner of 1000 along the entire length of the South boundary and from the South-East corner of 1000 along the entire length of the East boundary to the South boundary of 1001.
<i>The several trees consisting</i> L/A5	Mainly ^{of} Silver Birch, Austrian Pine, Sycamore.	Within the boundaries of 929 extending 40ft. in width along the West side of Manchester Road and extending westwards to the West boundary of 977a.
<i>The several trees consisting</i> L A6	Mainly ^{of} Sycamore, Lime, Birch, Holly, Pine	Along the west side of Brook ^{Road} Street some 255ft. in length and 36ft. in width.

GROUPS OF TREES
(Within a broken black line on the Map)

No. on Map	Description	Situation
✓ G1	1 Sycamore, 1 Oak	On East boundary of F1058 and West of F1059, 410ft. from North boundary railway fence.
✓ G2	2 Sycamore	North East corner of F1060 and West side of Micker Brook, 30ft. from bridge.
✓ G3	3 Sycamore	East boundary of F1062 and West side of Micker Brook, just North of sewer pipe.
✓ G4	3 Sycamore, 1 Beech, 1 Ash	East boundary of F1062 and West side of Micker Brook, just South of sewer pipe.
✓ G5	1 Sycamore, 1 Beech	East boundary of F1062 and West side of Micker Brook, just North of bend.
✓ G6	3 Sycamore	East boundary of F1062 and West side of Micker Brook, between T30 and T31 and on bend.
✓ G7	2 Sycamore	At the junction of South-East hedge of F1062 and Micker Brook.
✓ G8	2 Sycamore, 2 Beech, 1 Ash, 1 Oak	On the West boundary of 996 and adjacent to footpath, 130ft. from North boundary.
✓ G9	2 Scots Pine	On the island in the centre of 1069.
✓ G10	18 Lime, 2 Austrian Pine, 2 Oak, 1 Sycamore, 1 Ash, 1 Willow	South of F1070 and the South-East corner of F1071.
✓ G11	3 Sycamore	On North-East boundary of F996 and West of Micker Brook, just South of the bridge.
✓ G12	3 Sycamore, 1 Ash, 1 Beech	South-East corner of F996 and West of Micker Brook.
✓ G13	2 Ash, 1 Sycamore	On North boundary of 997 and 15ft. from North-East corner of 997.
✓ G14	2 Sycamore	On West boundary of 997 and 45ft. from North-West corner of 997.
✓ G15	2 Sycamore, 1 Silver Birch.	On West boundary of 997 and 80ft. from North-West corner of 997.
✓ G16	1 Sycamore, 1 Ash	On East boundary of 997 and 12ft. from North-East corner of 997.
✓ G17	3 Sycamore	On East boundary of 997 and 85ft. from North-East corner of 997.
✓ G18	5 Sycamore, 1 Ash	On East boundary of 997 and 118ft. from North-East corner of 997.

No. on Map	Description	Situation
/ G19	7 Lime	On South boundary of 1005 and North side of Micker Brook.
/ G20	1 Horse Chestnut, 1 Ash, 1 Beech, 1 Elm	East side of 1005 and extending from North to South.
✓ G21	3 Beech	On West boundary of 1000 and 105ft. from North gatepost.
/ G22	3 Beech, 2 Silver Birch	In the North-West corner and on the West boundary of 1000, 173ft. from North gatepost.
/ G23	2 Elm, 1 Beech, 1 Sycamore	In the North-West corner and on the North boundary of 1000, 20ft. from West boundary.
✓ G24	1 Beech, 1 Ash, 1 Elm, 1 Sycamore, 1 Corsican Pine	North boundary of 1000, and South of Mill Lane, west of drive to Hallcroft House.
/ G25	4 Beech, 2 Lime, 1 Ash, 1 Elm	East boundary of 1000 and extending the whole length of the West boundary of 1001.
/ G26	4 Sycamore, 4 Elms, 2 Copper Beech, 2 Horse Chestnut	South-West of 1000 and South of Hallcroft House, 70ft. from the South of Hallcroft House and 10ft. from the South-East corner.
✓ G27	14 Sycamore, ² / ₃ Willow, 1 Ash	Behind Hartsdale House, the centre of 1007 and extending across the Mill Stream into 1006.
/ G28	2 Sycamore	West boundary of F1007 and 10ft. North of the sewer pipe.
✓ G29	5 Sycamore, 1 Ash	North-East boundary of 1006 and South of T137.
✓ G30	2 Sycamore, 1 Alder	West boundary of 975a and East of Micker Brook just South of bend.
✓ G31	2 Sycamore, 1 Beech, 1 Oak	West boundary of 975a and East of Micker Brook. On bend and adjacent to footpath.
/ G32	2 Sycamore	West boundary of 975a and East of Micker Brook, 75ft. north of sewer pipe.
✓ G33	2 Sycamore	North-West corner of 975a and North of Micker Brook 33ft. from T149.
/ G34	2 Sycamore	North boundary of 1012 near junction of stream and Micker Brook.
/ G35	4 Beech, 1 Lime, 1 Horse Chestnut, 1 Ash	On the North-East boundary of F975.
/ G36	2 Sycamore, 1 Ash	North-East boundary of F975 and South of the stream.
✓ G37	1 Mountain Ash	On the East boundary of F975 and West of Manchester Road.
✓ G38	15 Horse Chestnuts	North-East corner of 977, 55ft. from Manchester Road and 12ft. in from Mill Lane.
✓ G39	2 Sycamore	Centre of 977 and either side of the service road.
/ G40	19 Lombardy Poplars	On the South-East boundary of 977, extending 70yds. from building on South-East boundary.
/ G41	1 Sycamore, 1 Silver Birch	On the bank South-East of 977 and 6 yds. from line of lombardy poplars.
/ G42	23 Austrian Pine, 15 Sycamore, 1 Oak	Along the south boundary of 1064 and North of 1068.

WOODLANDS

(Within ^a/₂ the continuous black line on the Map)

No. on Map	Description	Situation
/ W1	Mixed deciduous woodland of mainly beech, sycamore, horse chestnut, lime, ash, oak.	Extending from Manchester Road along the South boundary of F975 and North of Mill Lane, in 976.
✓ W2	Mixed deciduous woodland of mainly elm, oak, sycamore, beech, horse chestnut, willow.	Within the boundaries of 998, east of Micker Brook, West of 999 and extending the whole length of 998.
✓ W3	Mixed deciduous woodland of mainly sycamore and beech.	Within the boundaries of 977, East of Hallcroft, North of the railway line and South of Mill Lane.

This Order shall not apply so as to require the consent of the authority

(1) to the cutting down, topping or lopping of any tree that is dying or dead or has become dangerous;

(2) to the cutting down, topping or lopping of any tree—

(a) in compliance with an obligation imposed by or under an Act of Parliament;

(b) in pursuance of the power conferred on the Postmaster General by virtue of Section 5 of the Telegraph (Construction) Act, 1908;

(c) in pursuance of the powers conferred by Section 24 of the Regulation of Railways Act, 1868;

(d) for the purpose of preventing or abating a nuisance;

(e) in the case of a statutory undertaker where the land on which the tree is situated is operational land as defined by the Act and either works on such land cannot otherwise be carried out or the cutting down, topping or lopping is for the purpose of securing safety in the operation of the undertaking;

(f) by or at the request of an Electricity Board within the meaning of the Electricity Act, 1947, where such tree obstructs the construction by the Board of any main transmission line or other electric line within the meaning respectively of the Electricity (Supply) Act, 1919 and the Electric Lighting Act, 1882 or interferes or would interfere with the maintenance or working of any such line.

(g) where immediately required for the purpose of carrying out develop-

(h) by or at the request of a River Board established under the River Boards Act, 1948, or a Drainage Board constituted or treated as having been constituted under the Land Drainage Act, 1930, where the tree interferes or would interfere with the exercise of any functions of the Board in relation to the maintenance, improvement or construction of water courses or of drainage works.

(i) *by or at the request of the Minister of Aviation where in his opinion the tree obstructs the approach of aircraft to, or their departure from, any aerodrome or hinders the safe and efficient use of aviation or defense technical installations.*

in relation to the determination of the application by the Minister as they apply in relation to the determination of such applications by the Authority;

Provided that before determining any such application the Minister shall, if either the applicant or the authority so desire, afford to them an opportunity of appearing before and being heard by a person appointed by the Minister for the purpose.

(3) The decision of the Minister on all applications referred to him under this section shall be final.

16.—(1) Where application is made for consent under the Order and that consent is refused by the authority or is granted by them subject to conditions or where any certificate or direction is given by the authority, then if the applicant is aggrieved by their decision on the application, or by any such certificate, or if the person directed is aggrieved by the direction, the applicant or that person, as the case may be, may, by notice in writing served within 28 days from the receipt of notification of their decision, certificate or direction, or such longer period as the Minister may allow appeal to the Minister.

(2) When an appeal is brought under this section from a decision certificate or direction of the authority, the Minister may allow or dismiss the appeal or may reverse or vary any part of the decision of the authority, whether or not the appeal relates to that part, or may cancel any certificate or cancel or vary any direction, and may deal with an application as if it had been made to him in the first instance, and the provisions of the last foregoing section shall apply, subject to any necessary modifications in relation to the determination of an application by the Minister on appeal under this section as they apply in relation to the determination by the Minister of an application referred to him under that section.

(3) Unless within two months from the date of receipt of an application for consent under the Order, or within such extended period as may at any time be agreed upon in writing between the applicant and the authority, the authority either—

- (a) give notice to the applicant of their decision on the application; or
- (b) give notice to him that the application has been referred to the Minister in accordance with the directions given by him under the last foregoing section;

the provisions of sub-section (1) of this section shall apply in relation to the application as if the consent to which it relates had been refused by the authority, and as if notification of their decision had been received by the applicant at the expiration of the said period of two months or the extended period agreed upon as aforesaid, as the case may be.

21.—(1) Subject to the provisions of this section, if it appears to the authority that it is expedient that any consent under the Order granted on an application made in that behalf should be revoked or modified, they may by order revoke or modify the consent to such extent as appears to them to be expedient as aforesaid;

Revocation or modification of consent under the Order.

Provided that no such order shall take effect unless it is confirmed by the Minister and the Minister may confirm any order submitted to him for the purpose either without modification or subject to such modifications as he considers expedient.

(2) Where an authority submit an order to the Minister for his confirmation under this Section, that authority shall furnish the Minister with a statement of their reason for making the order and shall serve notice of the making of the order on the owner of the land, and on any other person who in their opinion will be affected by the order, and if within the period of 28 days from the service thereof any person on whom the notice is served so requires, the Minister shall, before confirming the order, afford to him and to the authority an opportunity of appearing before and being heard by a person appointed by the Minister for that purpose.

(3) The power conferred by this section to revoke or modify a consent may be exercised at any time before the operations for which consent has been given have been completed.

Provided that the revocation or modification of consent shall not affect so much of those operations as has been carried out before the date on which the order was confirmed as aforesaid.

(4) Where a notice has been served in accordance with the provisions of sub-section (2) of this Section, no operations or further operations as the case may be, in pursuance of the consent granted, shall be carried out pending the decision of the Minister under sub-section (1) of this Section.

22.—(1) Where any person is affected by an order under the last foregoing Section, or by a notice served on him under sub-section (2) of the foregoing Section in a case where the order is not confirmed, then, if on a claim made to the authority within the time and in the manner prescribed by Article 10 of the Order it is shown that he has incurred expenditure in carrying out work which is rendered abortive by the revocation, or modification, or stay of operations, as the case may be, or has otherwise suffered loss or damage which is directly attributable to the revocation, modification or stay of operations, the authority shall pay to that person compensation in respect of that expenditure, loss or damage.

Supplementary provisions as to revocation and modification

(2) For the purposes of this Section any expenditure incurred on matters preparatory to acting on the consent shall be deemed to be included in the expenditure incurred in carrying out that work, but except as aforesaid, no compensation shall be paid under this Section in respect of any work carried out in the period after the making of the Order and before the grant of consent which is revoked or modified, or in respect of any other loss or damage (not being loss or damage consisting of the depreciation in value of any interest in land) arising out of anything done or omitted to be done during that period.

Dated this 18th day of December

1962

THE COMMON SEAL of the
URBAN DISTRICT COUNCIL
OF CHEADLE & GATLEY
was hereunto affixed
in the presence of:—



Alan Richards
Chairman of the Council

Richard L. ...

Clerk of the Council

H.L.G. 12060

The Minister of Housing and Local Government hereby confirms the foregoing Order subject to the modifications shown in red ink thereon.

Given under the official seal of the
Minister of Housing and Local Government
on 10TH JULY 1963.

M. F. B. Bell M. F. B. BELL
Assistant Secretary,
Ministry of Housing and Local Government

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